

Docket No. 211260US2SDIV/phh



#7
5-6-04
RECEIVED

APR 27 2004

GROUP 3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Hideo ANDO, et al.

SERIAL NO: 09/911,391

GAU: 2161

FILED: July 25, 2001

EXAMINER:

FOR: RECORDING, EDIT, AND PLAYBACK METHODS OF AUDIO INFORMATION, AND INFORMATION STORAGE MEDIUM

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references cited in the attached two Japanese Office Actions listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

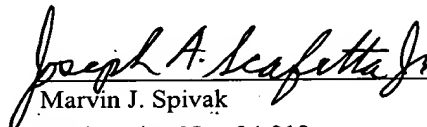
- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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(Translation)

Mailed: March 23, 2004

NOTIFICATION OF REASONS FOR REJECTION

Patent Application No.: 2001-280822

Examiner's Notice Date: March 12, 2004

Examiner: Akira Saito

This application is rejected on the grounds stated below. Any opinion about the rejection must be filed within 60 DAYS of the mailing date hereof.

REASON

The invention is unpatentable under section 29^{bis} of the Patent Law on the grounds that the invention is considered the same as the invention described in the specification and the drawing(s) originally attached to the request of the following application, which was filed before, and disclosed after, the filing date of this application and that the inventor of the present application is not considered to be the inventor of the cited application, and at the time of the filing of this application, the applicant is not considered to be the applicant of the cited application.

REMARKS

Re: Claims 1-5

Reference 1 is applicable.

Paragraph [0098] and FIG. 22 of the KOKAI publication of the application of reference 1 describe recording, within a play list, a representative image information representing the play list using 1 byte in the format intended for real-time recording of audio data. Judging from the capacity, it is obvious to a person with ordinary skill in the art that it is a pointer. Hence, it is considered that reference 1 discloses the same inventions as those recited in claims 1-5.

Note that paragraphs [0127] to [0132] of the specification and FIG. 11 of

Japanese Patent Application No. 11-154995, which constitutes a basis for internal priority claim of the application of reference 1, too describe the contents of the claims of the present application although the expression differs from that used in the KOKAI publication of reference 1. Therefore, it is judged that the priority claim of reference 1 is valid for the part to which the features recited in the claims of the present application apply.

The claims not mentioned in this Official Action are not rejected. If a new reason for rejection is noticed, a further Official Action will be issued.

Reference Cited:

1. Japanese Patent Application No. 2000-161793 (Japanese Patent Application KOKAI Publication No. 2001-52467)

(Translation)

Mailed: March 23, 2004

NOTIFICATION OF REASONS FOR REJECTION

Patent Application No.: 2000-048250

Examiner's Notice Date: March 15, 2004

Examiner: Akira Saito

This application is rejected on the grounds stated below. Any opinion about the rejection must be filed within 60 DAYS of the mailing date hereof.

REASONS

1. The invention is unpatentable under Section 39(1) of the Patent Law, on the grounds that the invention is the same as that of the following application filed prior to this application.
2. The invention is unpatentable under Section 29 (2) of the Patent Law, as being such that the invention could easily have been made by a person with ordinary skill in the art to which the invention pertains, on the basis of the inventions described in the following publications distributed in Japan or a foreign country prior to this application or made available to the public through electric telecommunication lines in Japan or a foreign country prior to this application.

REMARKS

Reason 1

Re: Claims 1-5

Reference 1 is applicable.

Claim 17 filed by the amendment (accepted on September 10, 2001) for the application of reference 1 is the same as claim 1 of the present application, and claims 16 and 17 and the inventions recited in claims 2-5 of the present application differ only in category and are considered substantially the same.

The application of reference 1 was filed later than the date the present application was filed. However, internal priority was claimed based on

Japanese Patent Application No. 11-99716, and the claim was accepted up to April 7, 1999, which is the filing date of the basic application, on grounds of the following description in paragraph [0010] of the basic application. If you have opinions about this, state them in the written opinion.

“Cell existing below this User Defined PGC can set any range within each VOB. Within A_VOBI#A4–#C6, which is management information concerning audio information in the present invention, there is Time Map 12–14, which will be described later, and Cell existing below User Defined PGC specifies a reproduction range (specification of time) using the information of this Time Map 12–14”

If the reason for rejection is not overcome within the response period, a Decision of Rejection will be issued even if the application of reference 1 is undetermined. If you indicate that you have the intention to amend the application of reference 1 at the time of responding to this reason for rejection, the application of reference 1 will be processed first, and so also in such a case, state in the written opinion. (Refer to Examination Standard, Section 2, Chapter 4, 4.1, 2.)

Reason 2

Re: Claims 1–5

References 2 and 3 are applicable.

Reference 2 describes the technique of reproducing a voice part using

an entry point in a VCD. Reference 3 describes a technique that allows reproduction of a part by setting an access point. The main features of the inventions recited in claims 1–5 are described.

(Both of the references are cited in the international search report issued in connection with the application of reference 1. State structural differences and advantages derived from the differences.)

References Cited:

1. Japanese Patent Application No. 2000-611279
(PCT National Publication No. 2000-62295)
2. Japanese Patent Application KOKAI Publication No. 07-284064
3. PCT International Publication No. WO 95/16990

If a new reason for rejection is noticed, a further Official Action will be issued.

Prior Art Search Report

Searched Field: IPC 7th ed. G11B 20/10
27/00
H04N 5/91

Prior-Art Document:

Japanese Patent Application KOKAI Publication No. 9-128868
(Definition of a digest audio section in a CD)

Suggested Amendment:

Reason 1 will be overcome by either deleting claims 16 and 17 of

Japanese Patent Application No. 2000-611279 or adding restrictive constituent features into the claims of the present application, thereby distinguishing the claims of the present application from claims 16 and 17 of Japanese Patent Application No. 2000-611279. Consider it for reason 1.

The result of this prior art search does not constitute the reasons for rejection.

APR 23 2004

SHEET 1 OF 1

Form PTO 1449
(Modified)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY DOCKET NO.
211260US2SDIVSERIAL NO.
09/911,391

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT
Hideo ANDO, et al.FILING DATE
July 25, 2001GROUP
2161

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AO	2001-52467	02/23/2001	JAPAN		X
	AP	2000-611279	2000	JAPAN (submitting corr. WO 00/62295)		
	AQ	WO 00/62295	10/19/2000	WIPO (with English Abstract)		X
	AR	7-284064	10/27/1995	JAPAN		X
	AS	WO 95/16990	06/22/1995	WIPO (with English Abstract)		X
	AT					
	AU					
	AV					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	
	AX	
	AY	
	AZ	<input type="checkbox"/> Additional References sheet(s) attached

Examiner

Date Considered

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.